

TOWN OF OGDEN DUNES

115 Hillcrest Road
Ogden Dunes, Indiana 46368

Phone: (219) 762-4125
Fax: (219) 762-3000

December 15, 2014

Robert Parsons
Public Hearings Officer
Michigan Department of Transportation
P.O. Box 30050
Lansing, Michigan 48909

Dear Mr. Parsons:

Thank you for the opportunity to comment on the Tier 1 Draft Environmental Impact Statement (EIS) regarding high-speed-rail (HSR) and a new freight line proposed from Chicago to Detroit and Pontiac.

After reviewing the Draft EIS for the Town of Ogden Dunes, IN, where several of the proposed routes traverse, it is our position that not enough information, especially impacts and mitigation measures, was provided in the Draft EIS for a fully informed selection to be made of a preferred route. Therefore, the town has no choice but to select the "no build alternative" at this time. This position was officially adopted at a December 1, 2014 Town Council meeting and reads:

The Town Council of Ogden Dunes, Indiana on this day of December 1, 2014 passes a motion stating that we support the "No Build Alternative" proposed in the Tier 1 DRAFT Environmental Impact Statement as part of the Chicago to Detroit/Pontiac High-Speed Rail Proposal developed by Great Lakes Rail. It is our belief that impacts to our town not yet revealed through the National Environmental Policy Act (NEPA) process with respect to land use, the built and natural environment, public health, public safety, noise and vibration and even environmental justice, may far outweigh any benefits that could be accrued for our town. Furthermore, it is our understanding that all of the routes proposed could have far-reaching impacts on residents in neighboring communities, such as Portage, Hammond, and Gary, as well as on the world-renowned natural resources that reside within the Indiana Dunes National Lakeshore, coastal wetlands and nature preserves in Indiana. The "No Build Alternative" is the alternative that will best serve the residents of Ogden Dunes, the state of Indiana and the Indiana Dunes National Lakeshore.

To further explain our position and shed light on the precarious position this proposal would place the Town of Ogden Dunes, its residents and others who need to access this town, such as school buses and ambulances, please see the sections below that correlate with many of the topics covered in the Draft EIS.

Impacts on Transportation

Incorporated in 1928, the Town of Ogden Dunes is bordered on two sides by the Indiana Dunes National Lakeshore and Lake Michigan on the North. Exhibit A more accurately portrays our location and situation.

If this town was like most other towns and cities, it would have several access points in and out of the municipality. However, instead, this town currently only has one established access point across four sets of tracks, two of which are owned by Norfolk/Southern, and two of which are owned by the Chicago South Shore and South Bend Railroad. In other words, there is only one official road in and out of Ogden Dunes.

If either Route 2 or Route 4 is selected, it is our belief that the more than 1,112 full-time and more than 200 part-time residents of our town could potentially lose access to Ogden Dunes or access could become more difficult either during construction or once the new rails are installed. Approximately 1,800 cars per day would have more difficulty in crossing the seven sets of tracks that would exist once the project is completed.

It is estimated that rail traffic in front of Ogden Dunes has swelled by more than 200 percent since 2011, primarily because of the increase in the amount of Bakken crude oil being shipped through here to east coast refineries. It is also estimated that vehicles attempting to enter or exit Ogden Dunes frequently have to wait an average of 11 minutes for freight and/or passenger trains to clear the at-grade crossing. Adding at least three more sets of rails could increase those wait times even more for not only the public but also for ambulances, police cars, school buses and fire trucks.

At this time the town has an emergency access road which runs along the north side of the current existing Norfolk/Southern tracks. However, the town does not own any of the land along the emergency access route or the road itself, which it is owned by Norfolk/Southern. It is likely that this access road would be eliminated if the extra freight line and HSR were added, potentially leaving residents and the public with no alternate or emergency access out of town. Emergency access is needed when either freight or passenger trains are stopped across the at-grade crossing or if there was a rail disaster of some sort that shuts down the crossing. Other possible access points are owned by the Indiana Dunes National Lakeshore. Exhibit B provides an overview of the current emergency alternate accessway.

The National Lakeshore owns the property alongside the emergency access road. After the current emergency access road turns away from the tracks it enters land owned by the Portage Parks Foundation and then U.S. Steel Corporation. At this point, traffic is now mixing with steel haulers, trucks and other vehicles entering and exiting the steel mill and AMROX, which recycles hydrochloric acid used in steelmaking. All of this traffic is funneled over a two-way bridge that frequently backs up during heavy traffic periods.

Impacts on Land-Use

We are interested to find out if several of our residents who live on Deer Trail, the southernmost street in town, and potentially the Ogden Dunes Community Church, would be impacted by converting an existing land use to transportation land use.

Just as concerning is the idea that land within the Indiana Dunes National Lakeshore, which was authorized by an act of Congress, could be converted to transportation use to construct two sets of tracks for the HSR and an additional freight track. Some of the best wild blue lupine habitat in the area currently exists near or between the tracks in the rail corridor that runs along U.S. 12 in Ogden Dunes and Portage. Blue lupine is the only species Karner blue butterflies, a rare and federally endangered species, will lay their eggs on and the only plant the larvae will eat. Rare black-oak savanna habitat would also be impacted. These impacts need to be addressed in the Final EIS.

Socioeconomic Resources

The potential for loss of property values in Ogden Dunes due to access limitations and changes should be addressed in the Final EIS. Another socioeconomic impact that needs to be addressed is the ability of school buses to pick up children and safely get them to their schools in the City of Portage either over seven potential sets of railroad tracks or through the current emergency access route. Furthermore, because the proposed HSR and the proposed freight line are not bringing tourism or business to our immediate area, it is difficult to support the idea that our town and its residents would benefit from it.

Community Character

Another item that needs to be addressed in the Final EIS is how the character of our community could change either during construction or after the HSR and new freight line are built. Entrance and egress into our town has always been somewhat complicated and could potentially become even more so if this proposal comes to fruition. It remains to be seen how the entrance would be changed, whether a bridge is built or the crossing is closed or modified. Any way you look at it, the community character of Ogden Dunes would be impacted.

Community character could also be affected by noise and vibration. The Draft EIS notes that increases in noise and vibration events “are expected to occur along various locations along the corridor...” The Final EIS needs to address whether or not Ogden Dunes is one of the “various locations.”

Environmental Justice

Environmental justice issues comprise more than just race, ethnicity, etc. These issues can include demographics such as the age of the population. Ogden Dunes has an aging population with a median age of 55, according to the 2012 census. The health concerns of the elderly should be taken into consideration in the areas of air pollution, community character and access to our town.

Public Health

Noise and vibration issues are already prevalent and of concern to residents, particularly those who live in the southernmost edge of town. The additional tracks and train traffic will cause more vibration and potential structural damage to homes and buildings. While quiet zones can be established, it is our understanding that the train horns could never really be fully eliminated. As you have stated in the Draft EIS, there really is no way to mitigate for noise.

Public Safety

If the at-grade crossing at Hillcrest and U.S. 12 is eliminated or even if it is reconfigured to accommodate the total of seven sets of rails and HSR gates, response times for police, fire and ambulances would be increased. In addition, pedestrians could have difficulty in accessing the South Shore/South Bend Railroad Station to get to work, and walking to and from that commuter train could become significantly more dangerous.

Air Quality

While we recognize that air quality overall for the southern end of Lake Michigan would be improved by taking trucks and cars off roads, localized air quality could be impacted when combined with the cumulative effects of nearby industry because of the potential increased use of diesel locomotives through this area.

Indirect and Cumulative Effects

Understanding all of the cumulative impacts of the proposed HSR and freight line, both during construction and after construction, in the Final EIS will be challenging but need to be documented and fully understood. Even what may seem like small impacts can add up. For the Town of Ogden Dunes, it is our view at this time that these impacts would be too severe for our residents, and many of those impacts cannot be mitigated. Access, however, would definitely have to be mitigated, regardless of whether or not the current at-grade crossing is modified or closed.

On behalf of the Ogden Dunes Town Council, thank you for your consideration on these important matters. If you would like to discuss any of the points addressed in this letter, I may be reached at 219-762-1929 or via email at harlowjr@comcast.net.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Gregory", with a long, sweeping horizontal line extending from the end of the name.

Bill Gregory, President

cc: Governor Mike Pence
State Senator Karen Tallian
Representative Peter J. Visclosky

Exhibit A – Map of Intersection and Inset Map of Ogden Dunes

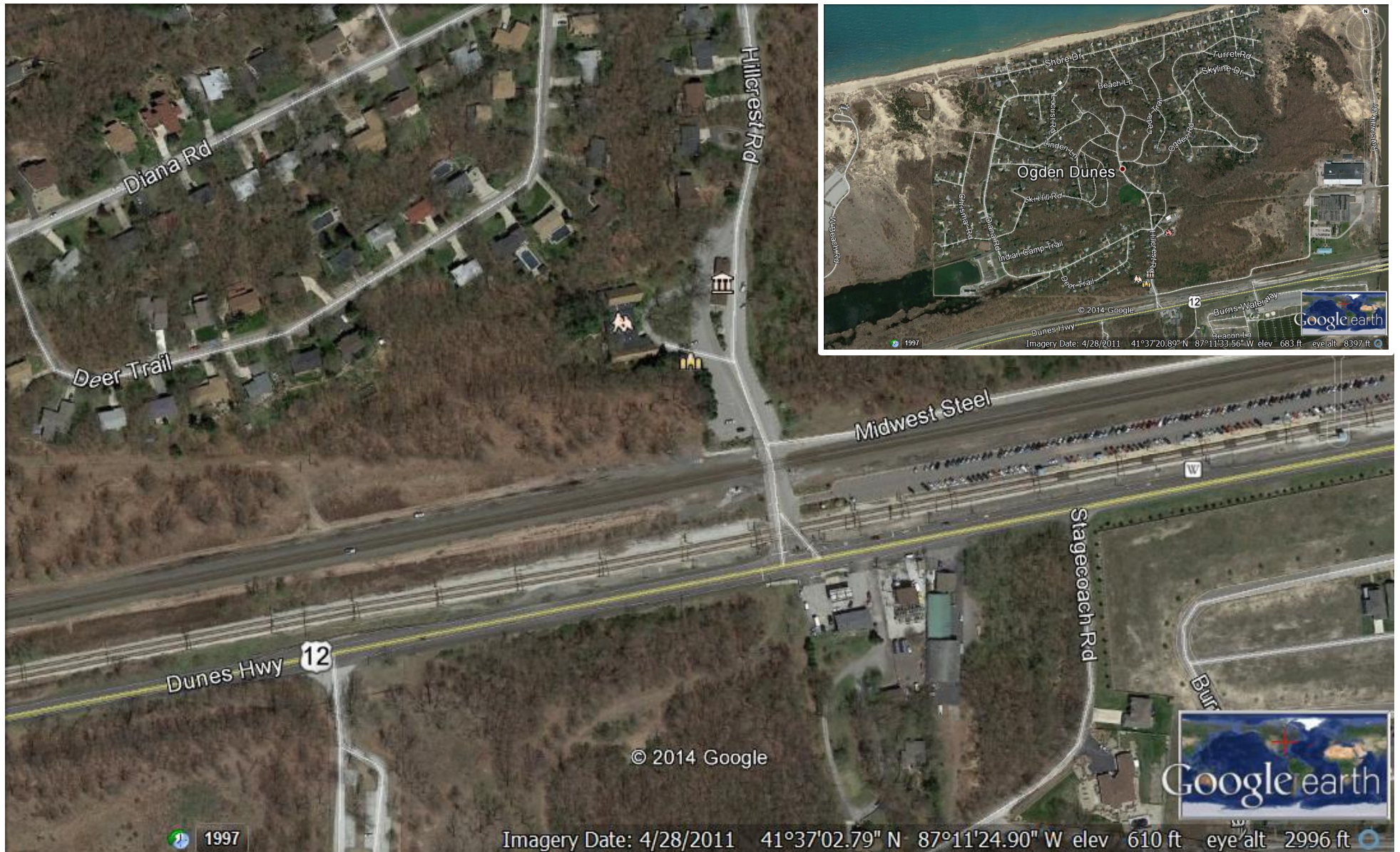


Exhibit B
Current Emergency Route for Ogden Dunes

